

MINUTES OF THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD AT THE RUTHERFORD COUNTY OFFICE BUILDING IN THE COUNTY COMMISSIONERS' MEETING ROOM ON JUNE 4, 2007, AT 6:00 P.M.

**PRESENT: CHIVOUS BRADLEY, CHAIRMAN
PAUL MCINTOSH, VICE CHAIRMAN
MARGARET HELTON
CHARLES HILL**

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CALL TO ORDER\INVOCATION\PLEDGE OF ALLEGIANCE

Chairman Bradley called the meeting and gave the invocation. Commissioner McIntosh led in the Pledge of Allegiance.

ADOPTION OF AGENDA

Chairman Bradley read the list of changes and additions to the agenda and asked for a motion to approve the agenda as amended. Commissioner Hill made a motion to adopt the agenda as amended. Commissioner McIntosh seconded the motion. The motion was unanimously approved.

Additions to the agenda were discussion on the following:

- JAG Grant Application
- Golden Leaf Foundation
- Right-of-way for Duke Energy

PUBLIC HEARING\2007-2008 BUDGET

Chairman Bradley opened the public hearing to listen to comments on the proposed 2007-2008 budget for Rutherford County.

Mr. Mike Tanner appeared on behalf of the Arts Council and asked that the Commissioners consider their request for funding for a project which he described as an economic development initiative.

No one else wished to speak.

Chairman Bradley declared the public hearing closed.

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| PUBLIC COMMENTS |
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Chairman Bradley opened the floor for public comments.

Mrs. Jeannine Noble spoke about the increase in property appraisals in Lake Lure, which she described as unfair. She said that although Lake Lure residents are the largest contributor to county tax revenues, they are not truly represented on the Commission board and do not receive a proportionate share of county services..

Mr. Chuck Watkins said that in five years the tax value of his property in Lake Lure has increased 200%. He presented figures showing that Lake Lure property overall has gone up 92% while county-wide the increase was about 33.6%. He questioned whether the western part of the county is receiving an equitable return. Some property owners in Lake Lure are year-round residents who live on a fixed income. He asked whether Lake Lure has fair representation on the county commission.

Mr. Russ Pitts, a town commissioner from Lake Lure, said the tax system is broken and needs to be revised. He said the millage rate should be lowered.

Mr. Dick McCallum, also a town commissioner from Lake Lure, said that it is not true that the residents of Lake Lure are all wealthy. Many of them are living on fixed income and trying to make their assets last for the rest of their lives. He suggested that the Commissioners form a committee to find a way to resolve the problem Lake Lure residents see regarding their tax appraisal.

Ms. Robin Robbins said that the increase in tax value will have a highly damaging effect on neighborhoods in Lake Lure because many owners will have to sell.

Ms. Peggy Hamrick asked the Commissioners to provide for a 2000 foot setback requirement for quarries and asphalt plants in the upcoming referendum for a high impact ordinance.

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| CONSENT AGENDA |
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Commissioner Helton made a motion to approve the consent agenda. Commissioner Hill seconded the motion. The motion was unanimously approved.

Minutes

By consent, the minutes of the May 7, 2007, May 14, 2007, and May 15, 2007, meetings were approved.

Tax Refunds and Releases

By consent, tax refunds of \$1,660.79 and tax releases greater than \$100 totaling \$1,769.47 as outlined by Tax Administrator Rick Johnson were approved. Tax releases of amounts less than \$100,

which totaled \$2,310.75, were submitted by the Finance Office. (A copy of these tax refunds and releases is in the Minute Book.)

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| APPOINTMENTS/BROAD RIVER WATER AUTHORITY/NURSING HOME ADVISORY COMMITTEE/DOMICILIARY HOME ADVISORY COMMITTEE/ISOTHERMAL COMMUNITY COLLEGE BOARD OF TRUSTEES/SWEEP/ECONOMIC DEVELOPMENT COMMISSION |
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Commissioner Hill made a motion to reappoint Mr. Rob Bole to the Broad River Water Authority. Commissioner Helton seconded the motion. The motion was unanimously approved.

Commissioner Hill made a motion to approve Ms. Palma Watt to serve on the Nursing Home Advisory Committee for one year and the Domiciliary Home Advisory Committee for one year. Vice Chairman McIntosh seconded the motion. The motion was unanimously approved.

Commissioner Helton made a motion to reappoint Dr. Bob England to serve on the Isothermal College Board of Trustees. Vice Chairman McIntosh seconded the motion. The motion was unanimously approved.

Commissioner Hill made a motion to appoint Mr. Robert Cobb and Ms. Shawnalyn Conner to the SWEEP Committee. Vice Chairman McIntosh seconded the motion. The motion was unanimously approved.

Vice Chairman McIntosh nominated Kevin McCammon to the Economic Development Commission. Chairman Bradley nominated Garland Gilbert to the EDC. Commissioner Helton made a motion to approve Mr. McCammon and Mr. Gilbert to the EDC. Commissioner Hill seconded the motion. The motion was unanimously approved.

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| BUDGET AMENDMENTS |
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Finance Director Scherer presented and explained the budget amendments.

| Budget Amendments | | |
|-----------------------------------|----------|----------|
| June 4, 2007 | | |
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| | Expense | Revenue |
| | | |
| GENERAL FUND | | |
| Library Supplies | \$ 3,928 | |
| E Rate Refund | | \$ 2,238 |
| Library Fines | | \$ 1,690 |
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| Airport - Repairs and Maintenance | \$ 4,200 | |
| Insurance Claims & Dividends | | \$ 4,200 |

Minutes of Rutherford County Commissioners' Meeting of June 4, 2007

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| | | |
| Court Facilities - Repairs and Maintenance | \$11,320 | |
| Court Facilities - Youth Detention | \$10,000 | |
| Court Facilities - Capital Outlay Improvements (Security System) | \$31,000 | |
| Court Facilities Fees | | \$25,000 |
| Fund Balance Appropriated - Court Facilities | | \$22,270 |
| Insurance Claims & Dividends | | \$ 5,050 |
| - lightning damage to security system | | |
| | | |
| NC Medical Examiners | \$11,000 | |
| Fund Balance Appropriated | | \$11,000 |
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| Sheriff - Training | \$ 6,000 | |
| Sheriff Donations - Pilot Club (Project Lifesaver Training/Equipment) | | \$ 6,000 |
| | | |
| Sheriff - Capital Outlay Vehicles | \$21,327 | |
| Insurance Claims & Dividends | | \$16,504 |
| Fund Balance Appropriated | | \$ 4,823 |
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| Sheriff - Salaries Retirement/Final Pays | \$20,816 | |
| Sheriff - Fuel | \$25,000 | |
| Sheriff - Vehicle Repairs and Maintenance | \$ 3,731 | |
| Insurance Claims and Dividends | | \$ 3,731 |
| Fund Balance Appropriated | | \$45,816 |
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| Sheriff - Supplies/Equip purchased with drug seizure funds | \$ 501 | |
| Unauthorized/Controlled Substance Tax | | \$ 501 |
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| Farmers Market - Part Time Salaries | \$ 248 | |
| Cooperative Extention - Part Time Salaries | | \$ 248 |
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| Fund Balance Appropriated | | \$ (18,839) |
| Transfer from Mental Health Dissolution Fund | | \$18,839 |
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| Transfer to Grant Fund - Airport Match | \$ 5,128 | |
| Fund Balance Appropriated | | \$ 5,128 |
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| MENTAL HEALTH DISSOLUTION FUND | | |
| Transfer to General Fund | \$18,839 | |
| Interest Earnings | | \$18,839 |
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| GRANT FUND | | |
| Professional Services - Entasis/Cliffside Study | \$ 620 | |
| Cliffside Rural Development | | \$ 310 |
| Cliffside Mills LLC | | \$ 310 |
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| Airport - Rural Development Grant Expenses | \$ 205,128 | |
| Airport - Rural Development Grant | | \$ 200,000 |
| Local Match - Airport Rural Development Grant | | \$ 5,128 |
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| WATER & SEWER FUND | | |
| Contribution to Debt Service Fund - 2006 2/3rds Bonds | \$ 147,200 | |
| Principal 2006 2/3rds Bonds | \$ (75,000) | |
| Interest 2006 2/3rds Bonds | \$ (72,200) | |
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| DEBT SERVICE FUND | | |
| 2006 2/3rds Water & Sewer Bonds - Principal | \$75,000 | |
| 2006 2/3rds Water & Sewer Bonds - Interest | \$72,200 | |
| Contribution from Water & Sewer Fund for Debt Service | | \$ 147,200 |
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| SCHOOL CAPITAL RESERVE FUND | | |
| Fund Balance Appropriated | | \$(140,000) |
| ADM State Funds | | \$ 140,000 |
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| COUNTY BUILDINGS CAPITAL RESERVE FUND | | |
| Fund Balance Appropriated | | \$(187,229) |
| Transfer from County Bldg Projects Fund | | \$ 187,229 |
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| COUNTY BUILDING PROJECTS FUND | | |
| Transfer to County Bldg Reserve Fund | \$ 187,229 | |
| Fund Balance Appropriated | | \$ 187,229 |
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| SCHOOL CAPITAL PROJECTS FUND | | |
| Harris Elem - General Construction | \$94,300 | |
| Harris Elem - Professional Services | \$ (94,300) | |

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| SOLID WASTE FUND | | |
| SWEEP Expenditures - SWAP Shop | \$ 2,500 | |
| Walmart Grant | | \$ 2,500 |
| Budget Amendments | | |
| June 4, 2007 | | |
| Additions | | |
| | Expense | Revenue |
| | | |
| GENERAL FUND | | |
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| Legal Fees | \$23,100 | |
| Fund Balance Appropriated | | \$23,100 |
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| Sheriff - Capital Outlay Equipment | \$10,000 | |
| US Customs Reimbursement for Interdiction Team Video Cameras | | \$10,000 |
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| GRANT FUND | | |
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| URP 06 Grant Expenditures | \$ 1,026 | |
| Interest Earnings | | \$ 1,026 |
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| TDA FUND | | |
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| Advertising | \$ 7,500 | |
| NC Division of Tourism Grant | | \$ 7,500 |

Commissioner Hill made a motion to approve the budget amendments. Vice Chairman McIntosh seconded the motion. The motion was unanimously approved.

RESOLUTION\CLEAN WATER ACT

Chairman Bradley presented a resolution in support of action by the state legislature to extend the Clean Water Act and to issue bonds to finance projects under the act. Vice Chairman McIntosh made a motion to approve the resolution with reservations about the indebtedness. Chairman Bradley stated that he would support the resolution with the same reservations. There being no second to the motion, Vice Chairman McIntosh called for a vote. The vote on the motion was as follows:

Ayes: Chairman Bradley and Vice Chairman McIntosh

Noes: Commissioner Hill and Commissioner Helton

The motion failed.

TRANSIT VANS

The Transit Department had requested that they be allowed to sell two vehicles that are no longer used by this department.

Commissioner Hill made a motion to advertise for the sale of two Transit vans. Vice Chairman McIntosh seconded the motion. The motion was unanimously approved.

LEGISLATION/HIGH IMPACT ORDINANCE/REFERENDUM

Chairman Bradley advised the Commissioners that Senate Bill 654, that calls for a referendum on a high impact industry ordinance, has passed the Senate and has met the deadline for crossover. It is now in the House Committee on Local Government.

GRANT APPLICATION/SHERIFF'S DEPARTMENT

A request has been received from the Sheriff's Department that the Board approve the application of a grant request through the U.S. Department of Justice. No local match is required. Funding would be used to purchase tasers to improve security in schools and the courthouse.

Vice Chairman McIntosh made a motion to approve the application from the Sheriff's Department for a Justice Assistance Grant in the amount of \$14,431. Commissioner Hill seconded the motion. The motion was unanimously approved.

GOLDEN LEAF FOUNDATION GRANT

Manager Condrey reported on a meeting at which community groups presented ideas for some 20 projects to be considered for presentation to the Golden Leaf Foundation. He gave the Commissioners the rankings the projects had received from the persons attending the meeting. The number one project was for job training. The various groups have been asked to work on ways to collaborate, and to redraft their proposals and to resubmit them by July 9. A group meeting has been scheduled for July 12, at which the projects will again be ranked. Following this meeting the Commissioners will receive information about the projects and will have an opportunity to rank them.

TRANSFER STATION RIGHT OF WAY

County Manager John Condrey stated that Duke Energy has requested that the county grant additional right of way in order to add three phase power, one additional pole, and a transformer at the transfer station at the Central Landfill.

Vice Chairman McIntosh made a motion to authorize the county manager to proceed with granting a right of way to Duke Energy to allow Duke to upgrade power at the transfer station. Commissioner Helton seconded the motion. The motion was unanimously approved.

CLOSED SESSION/ATTORNEY-CLIENT/G.S. 143-318.11(a)(3)

Commissioner Hill made a motion to go into closed session for attorney client privilege. Vice Chairman McIntosh seconded the motion. The motion was unanimously approved.

6:51 P.M. - The Board went into Closed Session.
7:03 P.M. - The Board returned to regular session.

ADJOURNMENT

Chairman Bradley declared the meeting adjourned.

Adjournment at 7:03 p.m.

Chairman, Board of Commissioners

Vice Chairman, Board of Commissioners

Attest:

Clerk, Board of Commissioners